

## Subpart 214.2—Solicitation of Bids

### 214.202 General rules for solicitation of bids.

#### 214.202-5 Descriptive literature.

(c) *Requirements of invitation for bids.* When brand name or equal purchase descriptions are used, use of the provision at FAR 52.211-6, Brand Name or Equal, satisfies this requirement.

[56 FR 36326, July 31, 1991, as amended at 63 FR 11528, Mar. 9, 1998; 64 FR 55633, Oct. 14, 1999; 69 FR 65090, Nov. 10, 2004]

## Subpart 214.4—Opening of Bids and Award of Contract

### 214.404 Rejection of bids.

#### 214.404-1 Cancellation of invitations after opening.

The contracting officer shall make the written determinations required by FAR 14.404-1 (c) and (e).

### 214.407 Mistakes in bids.

#### 214.407-3 Other mistakes disclosed before award.

(e) Authority for making a determination under FAR 14.407-3(a), (b) and (d) is delegated for the defense agencies, without power of redelegation, as follows:

(i) Defense Advanced Research Projects Agency: General Counsel, DARPA.

(ii) Defense Information Systems Agency: General Counsel, DISA.

(iii) Defense Intelligence Agency: Principal Assistant for Acquisition.

(iv) Defense Logistics Agency:

(A) General Counsel, DLA; and

(B) Associate General Counsel, DLA.

(v) National Imagery and Mapping Agency: General Counsel, NIMA.

(vi) Defense Threat Reduction Agency: General Counsel, DTRA.

(vii) National Security Agency: Director of Procurement, NSA.

(viii) Missile Defense Agency: General Counsel, MDA.

(ix) Defense Contract Management Agency: General Counsel, DCMA.

[57 FR 42629, Sept. 15, 1992, as amended at 59 FR 27669, May 27, 1994; 61 FR 50452, Sept. 26, 1996. Redesignated and amended at 62 FR 34122, June 24, 1997; 64 FR 51076, Sept. 21, 1999; 68 FR 7439, Feb. 14, 2003; 69 FR 65090, Nov. 10, 2004]

## PART 215—CONTRACTING BY NEGOTIATION

### Subpart 215.2—Solicitation and Receipt of Proposals and Information.

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215.203-70 Requests for proposals—tiered evaluation of offers.

### Subpart 215.3—Source Selection

215.303 Responsibilities.

215.304 Evaluation factors and significant subfactors.

215.305 Proposal evaluation.

### Subpart 215.4—Contract Pricing

215.403 Obtaining cost or pricing data.

215.403-1 Prohibition on obtaining cost or pricing data.

215.403-5 Instructions for submission of cost or pricing data or information other than cost or pricing data.

215.404 Proposal analysis.

215.404-1 Proposal analysis techniques.

215.404-2 Information to support proposal analysis.

215.404-3 Subcontract pricing considerations.

215.404-4 Profit.

215.404-70 DD Form 1547, Record of Weighted Guidelines Method Application.

215.404-71 Weighted guidelines method.

215.404-71-1 General.

215.404-71-2 Performance risk.

215.404-71-3 Contract type risk and working capital adjustment.

215.404-71-4 Facilities capital employed.

215.404-71-5 Cost efficiency factor.

215.404-72 Modified weighted guidelines method for nonprofit organizations other than FFRDCs.

215.404-73 Alternate structure approaches.

215.404-74 Fee requirements for cost-plus-award-fee contracts.

215.404-75 Fee requirements for FFRDCs.

215.404-76 Reporting profit and fee statistics.

215.406-1 Prenegotiation objectives.

215.406-3 Documenting the negotiation.

215.407-2 Make-or-buy programs.

215.407-3 Forward pricing rate agreements.

215.407-4 Should-cost review.

215.407-5 Estimating systems.